

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 24 1985  
 Returned to applicant for correction AUG 13 1985  
 Corrected application filed NOV 8 1985 Map filed JAN 15 1982 Proposed POU, POD  
 under 45223  
 Existing POU, POD  
 under 16544

The applicant JOHN W. BURKE  
P.O. Box 67 of Amargosa Valley  
Street and No. or P.O. Box No. City or Town  
Nevada 89020 hereby make application for permission to change the  
State and Zip Code No.

Point of Diversion and Place of Use  
Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under Permit No. 16544 (Certificate No. 5476)  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
 identify right in Decree.)

- The source of water is Underground  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 2.5 CFS. but not to exceed 73.50 ac ft Annually  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point in the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 28, T16S,  
Describe as being within a 40-acre subdivision of public survey and by course and  
R49E, M.D.B. & M., from which the NE corner of said Sec. 28 bears  
distance to a section corner. If on unsurveyed land, it should be stated.  
N. 69°17' 00" E at a distance of 518 feet
- The existing permitted point of diversion is located within the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 28,  
If point of diversion is not changed, do not answer.  
T16S, R49E., M.D.B. & M., at a point from which the E $\frac{1}{4}$  corner of  
said Sec. 28 bears N 32° 45' E, at a distance of 192.0 feet
- Proposed place of use NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 28, T16S, R49E, M.D.B. & M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
14.7 acres all in said Sec. 28
- Existing place of use Portion of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  (8.7 acres) and portion  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  (6.0 acres) all in Sec. 28, T16S, R49E,  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
M.D.B. & M.
- Use will be from 1 January to 31 December of each year.  
Month and Day Month and Day
- Use was permitted from 1 January to 31 December of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
 specifications of your diversion or storage works.) From existing well to Ditches and/or  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
Pipe  
pipes and flumes, or drilled well, etc.
- Estimated cost of works \$5,000
- Estimated time required to construct works Existing

14. Estimated time required to complete the application of water to beneficial use 1 Year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

To be combined with Permit number 16545; I.E.; To be used on that portion of the proposed place of use not covered under Permit 16545. See map filed under permit 45223 for clarification.

By /s/ John W. Burke

John W. Burke

P.O. Box 67

Amargosa Valley, Nevada 89020

Compared jm/se js/bc

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 16544, Certificate 5476 is issued subject to the terms and conditions imposed in said Permit 16544, Certificate 5476 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed 2.5 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 73.5 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 31, 1987

Proof of completion of work shall be filed before May 1, 1987

Application of water to beneficial use shall be made on or before March 31, 1989

Proof of the application of water to beneficial use shall be filed on or before May 1, 1989

Map in support of proof of beneficial use shall be filed on or before May 1, 1989

Completion of work filed MAR 9 1987 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed 3-13-89 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed \_\_\_\_\_ my office, this 31st day of March

Certificate No. 13040 Issued OCT 10 1991 A.D. 1986

Peter G. Morros  
State Engineer